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# AF Law Officer Defends Actions on Cooke

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Air Force Brig. Gen. C. Claude Teagarden, the Strategic Air Command's top legal officer, said yesterday that he saw nothing wrong with using a polygraph test to determine matters of national security, but he refused from the witness stand to take one himself.

Testifying at court-martial proceedings against Air Force 2nd Lt. Christopher Cooke on espionage charges, Teagarden repeatedly denied that he ever talked of not prosecuting Cooke and defended his actions in the case with almost niggling precision.

In the process, Teagarden disputed crucial segments of the testimony of virtually every other witness since the hearings began last week at Andrews Air Force Base. By day's end, he had even taken issue with most of the prosecution witnesses called thus far.

At one point, Teagarden likened himself to the Supreme Court and at another said there was "no higher authority" than SAC's commanding general. According to Teagarden, other witnesses in the case either "misunderstood" or "misrepresented" or were just plain mistaken about things he had said. But he emphasized that he does not want to call anyone a liar.

"I do not characterize things as 'a lie' or 'not a lie,'" the SAC staff judge advocate said under cross-examination by Cooke's chief defense counsel, F. Lee Bailey.

"You described the accused as a liar, did you not?" Bailey shot back.

Teagarden responded with a condescending smile. "That's a bit dif-

ferent," he said. "Because of what he did—and confessed to."

According to Lt. Col. Jerome Hoffman, the chief Air Force interrogator who obtained that confession, Cooke gave it, starting last May 9, only because of repeated promises, approved by Teagarden over the telephone, of "no prosecution."

Then deputy chief of a Titan II missile crew, Cooke initially insisted in a statement May 7 that he had made two innocent visits to the Soviet Embassy here as part of a research project on Soviet-American relations.

Later, he admitted he had been copying and providing the Soviets with secret and top-secret information about use of U.S. strategic nuclear weapons.

Air Force Capt. Francis W. Pedrotty III, assigned to defend Cooke May 9, has testified that Teagarden explicitly told him that afternoon, while Hoffman listened on the phone, that Cooke would not be prosecuted if he made a full disclosure.

Pedrotty said that he tried to obtain the assurance in writing but that the general bullied him out of it, in part by threatening him with "the wrath of Teagarden."

Even the chief Air Force prosecutor in the case, who served in Europe at the same time Teagarden did, has said through a spokesman he had heard of "the wrath of Teagarden." But Teagarden swore with perhaps his broadest smile of the day that he never used the words and never even heard of the phrase until last week.

Contradictions piled up in almost bewildering proportions. Maj. Gen. James Taylor Jr., the Air Force's deputy judge advocate general, tes-

tified last week that Teagarden told him as early as the morning of May 9 that "we may have an espionage case" here.

Teagarden, whose account rests heavily on claims that he thought Cooke was still telling the truth at that point, said he had no recollection of such an exchange. "I didn't know it was an espionage case at the time," he testified.

Taylor said the conversation stuck in his mind because he had just asked Teagarden, on a brief stop at SAC headquarters in Omaha, Neb., that morning, about the crash of an Air Force EC135 in Maryland a few days earlier. He said Teagarden's response "struck me as strange."

Teagarden defended his role in engineering the prosecution, despite strong misgivings outside SAC, partly on the grounds that Cooke had "flunked" a polygraph exam he finally took but even more strenuously on grounds that the only deal he ever approved for Cooke—an honorable discharge—depended on Cooke's having told the truth at the outset May 7.

As a result, Teagarden contended, there was really "no agreement" with Cooke for the Air Force to violate. Teagarden admitted, however, that he did not tell Air Force officials outside SAC about this until after Cooke had been formally arrested and charged.

Bailey pointed out that Teagarden had said he was willing to let Cooke go if the lieutenant had passed a polygraph May 7. If the general had been "willing to bet the security of the country on a polygraph for Lt. Cooke," Bailey suggested, then Teagarden must "hold the polygraph in very high esteem."

"Quite to the contrary," Teagarden replied. He said he had confidence in the polygraph machine "but not in the operators" of such machines.

In any case, he told Bailey, "I will not take a polygraph."